

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

PATSY JAY,

Plaintiff,

v.

Case No.: 3:23-cv-656

GRAND MANAGEMENT SERVICES, INC., EVERGREEN GARDENS
LIMITED PARTNERSHIP, JERRY MASCOLO, LEONDR A COLEMAN,
and DAWN COCKRUM,

Defendants.

DEPOSITION OF
JERRY MASCOLO

TAKEN ON
MONDAY, JULY 29, 2024
9:00 A.M.

OREGON LAW CENTER
490 NORHT SECOND STREET
COOS BAY, OREGON 97420

JERRY MASCOLO
76339

July 29, 2024

2 to 5

<div>Page 2</div> <div>1 APPEARANCES</div> <div>2</div> <div>3 Appearing on behalf of the Plaintiff:</div> <div>4 CARLY CRIPPS, ESQUIRE</div> <div>5 Oregon Law Center</div> <div>6 230 NE 2nd Avenue, Suite F</div> <div>7 Hillsboro, OR 97124</div> <div>8 (503) 640-4115</div> <div>9 (503) 640-9634 (Fax)</div> <div>10 ccripps@oregonlawcenter.org</div> <div>11</div> <div>12 -and-</div> <div>13</div> <div>14 Appearing on behalf of the Plaintiff:</div> <div>15 NICOLE PRITCHARD, ESQUIRE</div> <div>16 WILLIAM B. NIESE, ESQUIRE</div> <div>17 Oregon Law Center</div> <div>18 490 N. 2nd Street</div> <div>19 Coos Bay, OR 97240</div> <div>20 (541) 269-1226</div> <div>21 (541) 269-1372 (Fax)</div> <div>22 npritchard@oregonlawcenter.org</div> <div>23 bniese@oregonlawcenter.org</div> <div>24</div> <div>25</div>	<div>Page 4</div> <div>1 EXAMINATION INDEX</div> <div>2 Page</div> <div>3 EXAMINATION BY MS. PRITCHARD 7</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>
<div>Page 3</div> <div>1 APPEARANCES CONTINUED</div> <div>2</div> <div>3 Appearing on behalf of Defendant Grand Management,</div> <div>4 Jerry Mascolo, Leondra Coleman, Dawn Cockrum:</div> <div>5 HEIDI L. MANDT, ESQUIRE</div> <div>6 Williams Kastner</div> <div>7 1515 SW 5th Avenue, Suite 600</div> <div>8 Portland, OR 97201</div> <div>9 (503) 228-7967</div> <div>10 (503) 222-7261 (Fax)</div> <div>11 hmandt@williamskastner.com</div> <div>12</div> <div>13 Appearing on behalf of Defendant</div> <div>14 Evergreen Gardens Limited Partnership:</div> <div>15 NATHAN B. MCCLINTOCK, ESQUIRE</div> <div>16 Corrigall & McClintock LLP</div> <div>17 936 Central Avenue</div> <div>18 Coos Bay, OR 97420</div> <div>19 (541) 269-1123</div> <div>20 (541) 269-1126 (Fax)</div> <div>21 nmccclintock@epuerto.com</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>	<div>Page 5</div> <div>1 EXHIBIT INDEX</div> <div>2 Page</div> <div>3 EX030 Certificates 10</div> <div>4</div> <div>5 EX031 Notice of Intent to Evict 19</div> <div>6</div> <div>7 EX032 Tenant to Landlord Written 25</div> <div>8 Complaint 7-30-2021</div> <div>9</div> <div>10 EX033 Email Dated 3-22-2023 26</div> <div>11</div> <div>12 EX034 Tenant to Landlord Written 29</div> <div>13 Complaint 7-15-2021</div> <div>14</div> <div>15 EX035 Tenant to Landlord Written 32</div> <div>16 Complaint 8-14-2021</div> <div>17</div> <div>18 EX036 Letter Dated 10-2-2022 35</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>

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<p style="text-align: right;">Page 6</p> <p>1 DEPOSITION OF 2 JERRY MASCOLO 3 TAKEN ON 4 MONDAY, JULY 29, 2024 5 9:00 A.M. 6 7 THE REPORTER: The time is 9:00. We are 8 on the record. This is the beginning of the 9 deposition of Jerry Mascolo. 10 Mr. Mascolo, can I have you raise your 11 right hand. 12 Do you affirm under penalty of perjury the 13 testimony you're about to give will be the truth, 14 the whole truth, and nothing but the truth? 15 THE DEPONENT: I affirm. 16 THE REPORTER: Thank you, sir. 17 Will counsel please introduce yourselves 18 and state whom you represent. 19 MS. PRITCHARD: Nicole Pritchard, 20 representing Patsy Jay. 21 MR. MCCLINTOCK: Nathan McClintock, 22 representing Evergreen. 23 MS. MANDT: Heidi Mandt, on behalf of 24 Grand Management Services and all individual 25 defendants.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. And have you ever been a party or a 2 witness to a lawsuit? 3 A. Yes. 4 Q. What -- what kind of lawsuit were you a 5 party to? 6 A. It was a -- it was a -- something up in 7 Portland with employees. 8 Q. Was that in relation to your employment at 9 Grand Management? 10 A. Yes. 11 Q. Okay. And what kind of allegation was 12 that? 13 A. I just had to give a testimony of what I 14 saw. 15 Q. Okay. Were you -- you were -- were you a 16 named party to that lawsuit? 17 A. Actually, I think I was. 18 Q. Okay. What have you done to prepare for 19 your deposition here today? 20 A. I just looked over the file. 21 Q. Have you received -- reviewed any 22 documents in preparation for the deposition? 23 A. Yes. 24 Q. Have you provided copies of those 25 documents to your counsel?</p>
<p style="text-align: right;">Page 7</p> <p>1 THE REPORTER: You may proceed. 2 JERRY MASCOLO, having been first duly affirmed to 3 tell the truth, was examined, and testified as 4 follows: 5 EXAMINATION 6 BY MS. PRITCHARD: 7 Q. Okay. Mr. Mascolo, have you ever had your 8 deposition taken before? 9 A. No. 10 Q. And just a preliminary issue, please 11 answer out loud. You just did. 12 If you need to take a break, you may do 13 so, except while a question is pending. 14 Have you taken any drugs or medication 15 today that could affect your ability to answer 16 questions completely and truthfully? 17 A. No. 18 Q. Could you state and spell your full name? 19 A. Jerry, J-E-R-R-Y, Mascolo, M-A-S-C-O-L-O. 20 Q. Do you have any aliases or prior names? 21 A. No. 22 Q. What is your date of birth? 23 A. 3/10/76. 24 Q. And where are you currently living? 25 A. In Oregon, North Bend.</p>	<p style="text-align: right;">Page 9</p> <p>1 A. Yes. 2 Q. Do -- to your knowledge have those 3 documents been provided to our side? 4 A. Yes. 5 Q. Okay. Have you talked to anyone aside 6 from your attorney in preparation for today's 7 deposition? 8 A. No. 9 Q. Okay. Did you receive training on fair 10 housing several times? 11 A. Yes. 12 Q. And looking at some exhibits, 73, 74, 75, 13 76, which have been provided to you. Are those the 14 certificates you received for completing those 15 trainings? 16 A. Yes. 17 MR. MCCLINTOCK: Well, are these the page 18 numbers, or are these actual exhibits? 19 MS. PRITCHARD: These are page numbers. 20 MR. MCCLINTOCK: Okay. Well, why don't we 21 mark that as an exhibit? 22 MS. PRITCHARD: Okay. I will mark that -- 23 all four of those pages Exhibit 1. 24 MR. MCCLINTOCK: Well -- 25 MS. PRITCHARD: Actually, we're going in</p>

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<p style="text-align: right;">Page 10</p> <p>1 order.</p> <p>2 MR. MCCLINTOCK: In order, yeah.</p> <p>3 MS. CRIPPS: Yeah.</p> <p>4 MR. MCCLINTOCK: Yeah. Let's keep it in</p> <p>5 order.</p> <p>6 MS. CRIPPS: Did we end with 26 last time?</p> <p>7 MS. PRITCHARD: I'm looking.</p> <p>8 MS. CRIPPS: Okay.</p> <p>9 MS. MANDT: I think that's pretty close.</p> <p>10 Why don't you just start at 30, just to be safe?</p> <p>11 MR. MCCLINTOCK: Thirty, yeah.</p> <p>12 MS. PRITCHARD: All right. Exhibit 30,</p> <p>13 we'll mark those.</p> <p>14 THE REPORTER: Do you want me to mark</p> <p>15 them, like, with a sticker so I can --</p> <p>16 MS. PRITCHARD: Sure.</p> <p>17 THE REPORTER: -- keep track?</p> <p>18 MS. PRITCHARD: That would be great.</p> <p>19 MS. MANDT: Yes.</p> <p>20 BY MS. PRITCHARD:</p> <p>21 Q. Okay. Have you received --</p> <p>22 THE REPORTER: Stand by. I -- I got to</p> <p>23 mark the exhibit.</p> <p>24 MS. PRITCHARD: Okay. Sure.</p> <p>25 THE DEPONENT: You're not fast enough.</p>	<p style="text-align: right;">Page 12</p> <p>1 MS. MANDT: Object to form. Overbroad.</p> <p>2 BY MS. PRITCHARD:</p> <p>3 Q. You can answer.</p> <p>4 A. It's been a while since I've taken this --</p> <p>5 the training. It's usually once a year. And so I</p> <p>6 haven't taken the new one yet this year.</p> <p>7 But as far as I can remember you just, you</p> <p>8 know, you have to watch what you say. How you say</p> <p>9 it. And, you know, be careful on who you could</p> <p>10 offend.</p> <p>11 Q. Have you ever gotten any training about</p> <p>12 how to deal with one tenant sexually harassing</p> <p>13 another tenant?</p> <p>14 A. No. Except fair housing.</p> <p>15 Q. So you were trained on that in the fair</p> <p>16 housing training?</p> <p>17 A. Yes.</p> <p>18 Q. And what do you recall of -- from your</p> <p>19 training?</p> <p>20 MS. MANDT: Object to form. Overbroad.</p> <p>21 THE DEPONENT: So I remember -- like I</p> <p>22 said, the fact that you got to watch what you say.</p> <p>23 How you say it. And you -- you got to handle it</p> <p>24 carefully. And, you know, probably have other</p> <p>25 witnesses around. So that way, then you're not</p>
<p style="text-align: right;">Page 11</p> <p>1 THE REPORTER: Evidently. If I could</p> <p>2 staple those so they don't get --</p> <p>3 MS. PRITCHARD: Sure.</p> <p>4 MR. MCCLINTOCK: Oh, yeah.</p> <p>5 MR. NIESE: I'll just get a stapler.</p> <p>6 THE REPORTER: Thank you.</p> <p>7 MS. PRITCHARD: Thanks, Bill.</p> <p>8 MR. NIESE: Mm-hmm.</p> <p>9 THE DEPONENT: There's one right there.</p> <p>10 MR. MCCLINTOCK: Oh God, that's true.</p> <p>11 MS. PRITCHARD: Here you go.</p> <p>12 THE REPORTER: Thank you very much.</p> <p>13 MS. PRITCHARD: Mm-hmm.</p> <p>14 THE REPORTER: Exhibit 30 is marked and</p> <p>15 introduced.</p> <p>16 (WHEREUPON, Exhibit 30 was marked for</p> <p>17 identification.)</p> <p>18 BY MS. PRITCHARD:</p> <p>19 Q. Okay. Did you receive any other trainings</p> <p>20 related to fair housing law?</p> <p>21 A. No.</p> <p>22 Q. Did this course cover sexual harassment?</p> <p>23 A. Yes.</p> <p>24 Q. And what do you recall from your training</p> <p>25 about sexual harassment?</p>	<p style="text-align: right;">Page 13</p> <p>1 isolated, you know, when it's opposite sex and --</p> <p>2 BY MS. PRITCHARD:</p> <p>3 Q. And specifically in regards to one tenant</p> <p>4 sexually harassing another was my question. So do</p> <p>5 you recall from the training what you learned about</p> <p>6 that</p> <p>7 MS. MANDT: Object to form.</p> <p>8 THE DEPONENT: Not off the top of my head,</p> <p>9 no.</p> <p>10 BY MS. PRITCHARD:</p> <p>11 Q. Okay. What dates have you worked for</p> <p>12 Grand Management Services?</p> <p>13 A. What -- so I've been -- I've worked for</p> <p>14 Grand probably since 2006. But officially as a site</p> <p>15 manager or somebody that would actually be a part of</p> <p>16 it because when I -- I worked for Grand I was</p> <p>17 actually self-employed when I first started in 2006.</p> <p>18 So I believe I came about 2014, '15, is when I</p> <p>19 started working as a site manager for Grand</p> <p>20 Management.</p> <p>21 Q. Okay.</p> <p>22 A. 'Til present.</p> <p>23 Q. And who is your supervisor?</p> <p>24 A. At what point in time?</p> <p>25 Q. Currently.</p>

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<p style="text-align: right;">Page 38</p> <p>1 BY MS. PRITCHARD:</p> <p>2 Q. Around the time of Ms. Patsy -- Ms. Jay's</p> <p>3 complaint, which is July 2021.</p> <p>4 A. Not that I can recall.</p> <p>5 MS. PRITCHARD: Any more questions?</p> <p>6 MS. CRIPPS: I don't think --</p> <p>7 MS. PRITCHARD: No. Anything else that</p> <p>8 you can think of?</p> <p>9 MR. NIESE: No. Did you cover this?</p> <p>10 MS. PRITCHARD: Oh, I decided not to.</p> <p>11 MR. NIESE: Okay.</p> <p>12 MS. PRITCHARD: Yeah.</p> <p>13 MR. NIESE: Okay.</p> <p>14 MS. PRITCHARD: Okay. Well, that -- that</p> <p>15 concludes our questioning. We rest.</p> <p>16 MR. MCCLINTOCK: I have no questions.</p> <p>17 MS. MANDT: No questions.</p> <p>18 THE REPORTER: All right. That concludes</p> <p>19 the deposition.</p> <p>20 Ms. Pritchard, would you like to order the</p> <p>21 transcript?</p> <p>22 MS. PRITCHARD: Yes, please.</p> <p>23 THE REPORTER: Ms. Mandt, would you like a</p> <p>24 copy?</p> <p>25 MS. MANDT: Sure.</p>	<p style="text-align: right;">Page 40</p> <p style="text-align: center;">CERTIFICATE</p> <p>1</p> <p>2</p> <p>3 I, Ryan Batterson, do hereby certify that I</p> <p>4 reported all proceedings adduced in the foregoing</p> <p>5 matter and that the foregoing transcript pages</p> <p>6 constitutes a full, true and accurate record of said</p> <p>7 proceedings to the best of my ability.</p> <p>8</p> <p>9 I further certify that I am neither related</p> <p>10 to counsel or any party to the proceedings nor have</p> <p>11 any interest in the outcome of the proceedings.</p> <p>12</p> <p>13 IN WITNESS WHEREOF, I have hereunto set my hand</p> <p>14 this 15th day of August, 2024.</p> <p>15</p> <p>16 </p> <p>17</p> <p>18</p> <p>19 Ryan Batterson</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 39</p> <p>1 THE REPORTER: Mr. McClintock, copy?</p> <p>2 MR. MCCLINTOCK: Yeah, sure.</p> <p>3 THE REPORTER: All right. Off the record</p> <p>4 at 9:52.</p> <p>5 (WHEREUPON, the deposition of JERRY</p> <p>6 MASCOLO was concluded at 9:52 A.M.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 41</p> <p style="text-align: center;">CORRECTION SHEET</p> <p>1 Deposition of: Jerry Mascolo Date: 07/29/24</p> <p>2 Regarding: Jay vs. Grand Management Services, Inc.</p> <p>3 Reporter: Batterson / Munro</p> <p>4</p> <p>5 _____</p> <p>6 Please make all corrections, changes or</p> <p>7 clarifications to your testimony on this sheet,</p> <p>8 showing page and line number. If there are no</p> <p>9 changes, write "none" across the page. Sign this</p> <p>10 sheet and the line provided.</p> <p>11 Page Line Reason for Change</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 Signature: _____</p> <p>25 Jerry Mascolo</p>

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DECLARATION

Deposition of: Jerry Mascolo Date: 07/29/2024

Regarding: PATSY JAY vs GRAND MANAGEMENT SERVICES

Reporter: Ryan Batterson

I declare under panalty of perjury the following to be true:

I have read my deposition and the same is true and accurate save and except for any corrections as made by me on the Correction Sheet herein.

Signed at _____, _____
on the _____ day of _____, 20____.

Signature: _____
Jerry Mascolo